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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,837	10/24/2003	James A. Gavney JR.	JAG-00113	9227
28960	7590	02/21/2006	EXAMINER	
HAVERSTOCK & OWENS LLP 162 NORTH WOLFE ROAD SUNNYVALE, CA 94086			CHIN, RANDALL E	
			ART UNIT	PAPER NUMBER
			1744	

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,837

Applicant(s)

GAVNEY ET AL.

Examiner

Randall Chin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006 and 12 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6,12,14,16,19-21 and 25-33 is/are pending in the application.
- 4a) Of the above claim(s) 27 and 31-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6,12,14,16,19-21,25,26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

- I. Claim 27 is being withdrawn from consideration as not readable on the elected species of Figs. 1B and 5A (see Office Action mailed 01 June 2005) since claim 27 recites "wherein the first support surface further comprises a second squeegee element protruding therefrom" which is not disclosed in elected Fig. 1B.

Claim 31 is being withdrawn from consideration as not readable on the elected species of Figs. 1B and 5A (see Office Action mailed 01 June 2005) since claim 31 recites "substantially circular squeegee element" (line 11) which is not disclosed in elected Fig. 1B since Fig. 1B actually shows a "circular" squeegee element.

Claim 33 is being withdrawn from consideration as not readable on the elected species of Figs. 1B and 5A (see Office Action mailed 01 June 2005) since claim 33 recites "substantially circular squeegee element" (lines 3-4) which is not disclosed in elected Fig. 1B since Fig. 1B actually shows a "circular" squeegee element.

Claim Objections

2. Claims 4, 12, 20 and 26 are objected to because of the following informalities:

Claim 4, line 1, after "wherein", delete "the" for clarity.

Claim 12, line 14, after "surface", delete "that" for grammatical reasons.

Claim 20, line 15, change "from" to --form--.

The scope of claim 26 is not clearly understood since the preamble actually recites "A device..." and the body of the claim is drawn merely to a "cleaning head." Is Applicant intending to claim the **entire** "device" or simply just "a cleaning head"? The body of claim 26 never positively recites any structure drawn to the actual "device."

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Applicant's cooperation is respectfully requested in reviewing all claims for such compliance.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4, 6, 12, 14, 16, 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsang '313 in view of Armbruster '605.

With respect to claim 1, Tsang '313 teaches in Fig. 7 a device comprising a cleaning head, the cleaning head comprising a first region with a first support surface (where element 45 is located), the first support surface being configured to move in a first direction, and a second region with a second support surface having a "first" squeegee element 46 protruding therefrom, the squeegee element having elongated walls that protrude to form an elongated wiping edge configured to treat a working surface, and wherein the second support surface is configured to move separately from the first support surface in a second direction that is different from the first direction.

Any element(s) supporting the squeegees 45, 46 for opposite rotation as shown in Fig. 7 can be considered a "support surface." It should be noted that the squeegee 46 protruding from the first support surface has the recited "opposed walls that form

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elongated wiping edges.” As for the second squeegee element 45 having the recited “elongated walls”, it should be noted that Tsang ‘313 teaches that the number of heads n can be increased to improve cross-cleaning (see, for example, col. 2, lines 32-38 and col. 8, lines 38-40). Thus, it would have been obvious to one of ordinary skill in the art to have merely increased the number of heads which include respective “squeegee” elements for the Fig. 7 embodiment (see the arrangement in Figs. 1, 1-4, 1-6, 2-4, for example) in order to provide for “elongated walls” to improve cross-cleaning. Tsang teaches all of the recited subject matter with the exception the device further comprising bristles. Armbruster ‘605 teaches the **concept** of utilizing both a **sponge (i.e., squeegee) and bristles in combination** for a cleaning disc device (col. 8, lines 13-17). It would have been obvious to one of ordinary skill in the art to have modified Tsang’s cleaning device such that the first region and second region further comprises bristles as suggested by Armbruster ‘605 for improving the abrasive scrubbing power of the cleaning device and such that a portion of the bristles protruding from the first support surface and the second support surface flank opposed sides of the elongated walls.

As for claim 2, in the modified Tsang device, the first support surface would have a second squeegee element protruding therefrom.

As for claim 4, at least one of the first support surface and second support surface is configured to rotate or oscillate (see arrows in Fig. 7 of Tsang).

As for claim 6, the elongated walls of the first squeegee element 46 encircle an inner squeegee region.

To avoid redundancy, claims 12, 14, 16, 19 and 26 are rejected similarly as above for claims 1, 2, 4 and 6.

5. Claims 20 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsang 6,032,313 (hereinafter Tsang '313).

Tsang '313 teaches with respect to claim 20, a cleaning device in Fig. 7 comprising a cleaning head which appears to be detachable comprising a first section that would have some type of "first" support surface with a "squeegee" wiping element 46 protruding therefrom and being configured to automatically rotate or oscillate while coupled to "a motorized handle" (never positively recited), and a second section that would also have some type of "second" support surface with a "squeegee" wiping element 45 protruding therefrom and being surrounding the first section and being configured to automatically rotate or oscillate while coupled to "a" motorized handle (never positively recited), and wherein the second section is configured to automatically rotate or oscillate in a direction that is different (see arrows of Fig. 7) from that of the first section. **Any** element(s) supporting the squeegees 45, 46 for opposite rotation as shown in Fig. 7 can be considered a "support surface." It should be noted that the squeegee 46 protruding from the first support surface has the recited "opposed walls that form elongated wiping edges." As for the second squeegee element 45 having the recited "opposed walls that form elongated wiping edges", it should be noted that Tsang '313 teaches that the number of heads n can be increased to improve cross-cleaning (see, for example, col. 2, lines 32-38 and col. 8, lines 38-40). Thus, it would have been

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obvious to one of ordinary skill in the art to have merely increased the number of heads which include respective "squeegee" elements for the Fig. 7 embodiment (see the arrangement in Figs.1, 1-4, 1-6, 2-4, for example) in order to provide for "opposed walls that form elongated wiping edges" to improve cross-cleaning.

As for claim 28, Tsang '313 teaches a device comprising a cleaning head, the cleaning head comprising a first support surface with a first "squeegee" element 46 with opposed walls that form a first elongated and continuous wiping edge configured to treat a working surface, the first support surface being configured to move, and a second support surface with a second "squeegee" element 45 configured to simultaneously treat the working surface, wherein at least one of the first support surface and the second support surface is configured to automatically move independently and separately of the other of the first support surface and the second support surface (Fig. 7) while the cleaning head is coupled to "a motorized handle" 39, 40 (never positively recited). **Any** element(s) supporting the squeegees 45, 46 for opposite rotation as shown in Fig. 7 can be considered a "support surface." As for the second squeegee element 45 having the recited "opposed walls that form a second elongated and continuous wiping edge", it should be noted that Tsang '313 teaches that the number of heads n can be increased to improve cross-cleaning (see, for example, col. 2, lines 32-38 and col. 8, lines 38-40). Thus, it would have been obvious to one of ordinary skill in the art to have merely increased the number of heads which include respective "squeegee" elements for the Fig. 7 embodiment (see the arrangement in Figs.1, 1-4, 1-

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6, 2-4, for example) in order to provide for "opposed walls that form elongated wiping edges" to improve cross-cleaning.

6. Claims 21, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsang '313 in view of Armbruster '605 (hereinafter Armbruster '605).

Tsang '313 teaches all of the recited subject matter as shown in Fig. 7 with the exception of the device further comprising bristles. Armbruster '605 teaches the concept of utilizing both a sponge (i.e., squeegee) and bristles in combination for a cleaning disc device (col. 8, lines 13-17). It would have been obvious to one of ordinary skill in the art to have modified Tsang's cleaning device such that the device further comprises bristles as suggested by Armbruster '605 for improving the abrasive scrubbing power of the cleaning device.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 25 is rejected under 35 U.S.C. 102(e) as being anticipated by Braun 2004/0154112 (hereinafter Braun '112).

At the outset, Braun '112 is deemed to qualify as prior art as Applicant does not receive the benefit of the 01/10/2003 priority date of Provisional Application No.

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60/439,317. Provisional Application No. 60/439,317 does not provide any support for that disclosed in **elected Figs. 1B and 5A, particularly, Fig. 1B (namely, counter-rotating sections where a first wiping region surrounds the second wiping region).** **Fig. 4A** of provisional Application No. 60/439,317 does not teach this arrangement.

Braun '112 discloses with respect to claim 25 in the Fig. 1 embodiment, for example, a device comprising a cleaning head comprising a first support surface defined by head 16 with a "first wiping region" defined just by the bristles 18 and a second support surface with a "second wiping region" defined by cup member 20, wherein the "first wiping region" surrounds the "second wiping region" 20 and the first support surface and the second support surface are configured to "move automatically and separately from each other" (**paragraph [0030]**), wherein at least one of the "first wiping region" and the "second wiping region" comprises a squeegee element formed by cup member 20 with elongated walls that protrude to form a top wiping edge (Fig. 1) and at least one of the "first wiping region" and the "second wiping region" comprises bristles 18. Bristles can also perform a "wiping" function. Clearly, any element(s) supporting the cup member 20 can be considered a "support surface" (**paragraph [0030]**).

8. Any inquiry concerning this communication or earlier communication from the Examiner should be directed to Randall Chin whose telephone number is

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(571) 272-1270. The Examiner can normally be reached on Monday through Thursday and every other Friday.


If attempts to reach the Examiner are unsuccessful, the Examiner's supervisor, Richard Crispino, can be reached at (571) 272-1226. The number for Technology Center 1700 is (571) 272-1700.

The central fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



R. Chin



Randall Chin
Primary Examiner
Art Unit 1744